GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:2591
ANSWERED ON:15.12.2015
Diversion of Forest Land in Urban Areas
Tarai Smt. Rita

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether diversion of forest land for non-forest use in urban areas require prior approval of the Union Government;
(b) if so, the number of proposals received from Odisha during the last three years;
(c) the number out of those proposals approved, rejected and pending with the Government;
(d) the reasons for rejection and pendency of those proposals; and
(e) whether any proposal is under consideration for relaxation of the provisions of Forest Conservation Act for urban areas in this regard and if so, the details thereof?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(SHRI PRAKASH JAVADEKAR)

(a) to (e)
Section-2 of the Forest (Conservation) Act, 1980 inter-alia provides that notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing that any forest land or any portion thereof may be used for any non-forest purpose. Therefore, use of forest land for various development projects, including development projects in urban areas, requires prior approval of the Central Government under the Forest (Conservation) Act, 1980. During last three years and current year, the Central Government has received 40 proposals,involving area more than 40 ha, seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 from the State Government of Odisha, out of which approval has been accorded in 24 cases involving 6,174 ha of forest area. Use of forest areas for such activities is approved by the Central Government under Section 2 of the Forest (conservation) Act, 1980 with adequate environmental safeguards and afforestation measures in lieu of forest land proposed to be utilized for developmental activities.Grant of approval by the Central Government under the Forest (Conservation) Act, 1980 is a continuing process. Often, the proposals or compliance of Stage-I approvals, received from the State/UT Government are not complete in all respects and hence the Central Government has to seek further details/ documents from the concerned State/UT Governments. Moreover, the proposals involving forest area of more than 100 ha are also required to be inspected by the concerned Regional Office of the Ministry. These are the main reasons for delay in granting approval under the Forest (Conservation) Act, 1980. The Ministry takes prompt decision, when proposals complete in all respects, are submitted by the State/UT Governments.

Further, there is no proposal for relaxation of provisions of the Forest (Conservation) Act, 1980 in urban areas. As per the provisions contained in the Guidelines issued under the Forest (Conservation) activities related to construction of residential and commercial buildings in forest areas are not considered by the Central Government.
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